	Case 5:08-cv-00095-JW Doc	ument 26	Filed 04/29/2008	Page 1 of 2	
1 2 3 4 5 6 7	JARED BOBROW (Bar No. 1337 jared.bobrow@weil.com JOSEPH H. LEE (Bar No. 248046 joseph.lee@weil.com WEIL, GOTSHAL & MANGES I 201 Redwood Shores Parkway Redwood Shores, CA 94065 Telephone: (650) 802-3000 Facsimile: (650) 802-3100 Attorneys for Defendant LEXAR MEDIA, INC.)			
8	UNITED STATES DISTRICT COURT				
9	NORTHERN DISTRICT OF CALIFORNIA				
10	SAN JOSE DIVISION				
11					
12	JENS ERIK SORENSEN, as Trus	tee of	Case No. C08-000	95 JW RS	
13	SORENSEN RESEARCH AND DEVELOPMENT TRUST,			DECLARATION OF JOSEPH H. LEE IN SUPPORT OF LEXAR MEDIA, INC.'S MISCELLANEOUS ADMINISTRATIVE REQUEST PURSUANT TO LOCAL RULE 7-11 TO CONTINUE THE HEARING DATE FOR PLAINTIFF'S	
14	Plaintiff,	Plaintiff,			
15	v.		RULE 7-11 TO C		
16	LEXAR MEDIA, INC., a Delawar and DOES 1 - 100,	re corporation	MOTION FOR 35 U.S.C. § 295 PRESUMPTION OF INFRINGEMENT		
17 18	Defendants.		Hon. James Ware		
19	I, Joseph H. Lee, declare:				
20	1. I am an associate at the law firm of Weil, Gotshal & Manges LLP,				
21	attorneys for defendant Lexar Media, Inc. in the above-captioned matter. Unless otherwise stated				
22	herein, I have personal knowledge of the facts stated in this declaration and, if called upon by a				
23	court of law to do so, could and would testify competently to them.				
24	2. On April 11, 2008, after filing the Motion for 35 U.S.C. § 295 Presumption				
25	of Infringement ("Motion for Presumption"), Sorensen's counsel, J. Michael Kaler, attempted to				
26	contact Lexar's lead counsel, Jared Bobrow, and left a voicemail message for Mr. Bobrow				
27	requesting post-filing acquiescence to the June 9, 2008, hearing date included in the already-filed				
28	Motion for Presumption.				
	LEE DECL. ISO LEXAR'S RULE 7-11 REQUES'	т то		Case No. C08-00095 JW RS	

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CONTINUE HEARING

- 18					
1	3. As Mr. Bobrow was preparing for an arbitration at the time, he was unable				
2	to immediately return the call.				
3	4. On April 16, 2008, I contacted Mr. Kaler to inform him that Mr. Bobrow				
4	would be unavailable for most of June, including June 9, 2008, as he would be out of the country.				
5	5. After learning that Lexar's lead counsel would be out of the country and				
6	unavailable for most of June, Mr. Kaler proposed that the Motion for Presumption be re-noticed				
7	for July 7, 2008, as that would be the earliest date available on the Court's calendar after the end				
8	of June.				
9	6. After checking Mr. Bobrow's schedule to determine whether he would be				
10	available on July 7, 2008, I attempted to contact Mr. Kaler to confirm that Mr. Bobrow would be				
11	available July 7, 2008, and that the Motion for Presumption could be heard on that date.				
12	7. I left both voicemail and e-mail messages with Mr. Kaler on				
13	April 22, 2008.				
14	8. Attached hereto as Exhibit A is a true and correct copy of an e-mail from				
15	me to Mr. Kaler, dated April 22, 2008.				
16	9. Attached hereto as Exhibit B is a true and correct copy of an e-mail from				
17	Mr. Kaler to me and Mr. Bobrow, dated April 22, 2008.				
18	I declare under penalty of perjury under the laws of the United States of America				
19	that the foregoing is true and correct.				
20	Executed this 29th day of April, 2008, at Redwood Shores, California.				
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22	/s/ Joseph H. Lee				
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